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SOUTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury

9	UNITED STATES OF AMERICA,	)	Criminal Case No. <u>08CR0212-JLS</u>
10	Plaintiff,	)	I N D I C T M E N T
11	v.	)	(Superseding)
12	BENNY LOPEZ (1),	)	Title 8, U.S.C.,
13	JUAN JOSE AGUIRRE-CRUZ (2),	)	Sec. 1324(a)(2)(B)(ii) -
14	Defendants.	)	Bringing in Illegal Aliens for
15		)	Financial Gain; Title 18, U.S.C.,
16		)	Sec. 2 - Aiding and Abetting;
17		)	Title 8, U.S.C.,
18		)	Secs. 1324(a)(1)(A)(ii) and
19		)	(v)(II) - Transportation of
20		)	Illegal Aliens and Aiding and
21		)	Abetting; Title 8, U.S.C.,
		)	Sec. 1324(a)(2)(B)(iii) -
		)	Bringing in Illegal Aliens Without
		)	Presentation; Title 18, U.S.C.,
		)	Sec. 2 - Aiding and Abetting;
		)	Title 8, U.S.C.,
		)	Secs. 1324(a)(1)(A)(iii) and
		)	(v)(II) - Harboring Illegal Aliens
		)	and Aiding and Abetting; Title 18,
		)	U.S.C., Sec. 3147 - Commission of
		)	Offense While on Pretrial Release

The grand jury charges:

Count 1

On or about January 13, 2008, within the Southern District of California, defendants BENNY LOPEZ and JUAN JOSE AGUIRRE-CRUZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely,

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1 Victor Manuel Ayon-Lizarraga, had not received prior official
2 authorization to come to, enter and reside in the United States, did
3 bring to the United States said alien for the purpose of commercial
4 advantage and private financial gain; in violation of Title 8,
5 United States Code, Section 1324(a)(2)(B)(ii), and Title 18,
6 United States Code, Section 2.

7 Count 2

8 On or about January 13, 2008, within the Southern District of
9 California, defendant BENNY LOPEZ, with the intent to violate the
10 immigration laws of the United States, knowing and in reckless
11 disregard of the fact that an alien, namely, Victor Manuel Ayon-
12 Lizarraga, had come to, entered and remained in the United States in
13 violation of law, did transport and move said alien within the United
14 States in furtherance of such violation of law; in violation of
15 Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (v)(II).

16 Count 3

17 On or about January 13, 2008, within the Southern District of
18 California, defendants BENNY LOPEZ and JUAN JOSE AGUIRRE-CRUZ, with
19 the intent to violate the immigration laws of the United States,
20 knowing and in reckless disregard of the fact that an alien, namely,
21 Carlos Jodin Villegas-Hernandez, had not received prior official
22 authorization to come to, enter and reside in the United States, did
23 bring to the United States said alien for the purpose of commercial
24 advantage and private financial gain; in violation of Title 8,
25 United States Code, Section 1324(a)(2)(B)(ii), and Title 18,
26 United States Code, Section 2.

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Count 4

2 On or about January 13, 2008, within the Southern District of
3 California, defendant BENNY LOPEZ, with the intent to violate the
4 immigration laws of the United States, knowing and in reckless
5 disregard of the fact that an alien, namely, Carlos Jodin Villegas-
6 Hernandez, had come to, entered and remained in the United States in
7 violation of law, did transport and move said alien within the United
8 States in furtherance of such violation of law; in violation of
9 Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (v)(II).

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Count 5

11 On or about January 13, 2008, within the Southern District of
12 California, defendants BENNY LOPEZ and JUAN JOSE AGUIRRE-CRUZ, with
13 the intent to violate the immigration laws of the United States,
14 knowing and in reckless disregard of the fact that an alien, namely,
15 Ramon Silva-Reyes, had not received prior official authorization to
16 come to, enter and reside in the United States, did bring to the
17 United States said alien for the purpose of commercial advantage and
18 private financial gain; in violation of Title 8, United States Code,
19 Section 1324(a)(2)(B)(ii), and Title 18, United States Code,
20 Section 2.

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Count 6

22 On or about January 13, within the Southern District of
23 California, defendant JUAN JOSE AGUIRRE-CRUZ, with the intent to
24 violate the immigration laws of the United States, knowing and in
25 reckless disregard of the fact that an alien, namely, Ramon Silva-
26 Reyes, had not received prior official authorization to come to, enter
27 and reside in the United States, did bring to the United States said
28 alien and upon arrival did not bring and present said alien

1 immediately to an appropriate immigration officer at a designated port
2 of entry; in violation of Title 8, United States Code,
3 Section 1324(a)(2)(B)(iii), and Title 18, United States Code,
4 Section 2.

5 Count 7

6 On or about January 13, 2008, within the Southern District of
7 California, defendant JUAN JOSE AGUIRRE-CRUZ, with the intent to
8 violate the immigration laws of the United States, knowing and in
9 reckless disregard of the fact that an alien, namely, Victor Manuel
10 Ayon-Lizarraga, had not received prior official authorization to come
11 to, enter and reside in the United States, did bring to the United
12 States said alien and upon arrival did not bring and present said
13 alien immediately to an appropriate immigration officer at a
14 designated port of entry; in violation of Title 8, United States Code,
15 Section 1324(a)(2)(B)(iii), and Title 18, United States Code,
16 Section 2.

17 Count 8

18 On or about January 13, 2008, within the Southern District of
19 California, defendant JUAN JOSE AGUIRRE-CRUZ, with the intent to
20 violate the immigration laws of the United States, knowing and in
21 reckless disregard of the fact that an alien, namely, Carlos Jodin
22 Villegas-Hernandez, had not received prior official authorization to
23 come to, enter and reside in the United States, did bring to the
24 United States said alien and upon arrival did not bring and present
25 said alien immediately to an appropriate immigration officer at a
26 designated port of entry; in violation of Title 8, United States Code,
27 Section 1324(a)(2)(B)(iii), and Title 18, United States Code,
28 Section 2.

Count 9

On or about May 12, 2008, within the Southern District of California, defendant BENNY LOPEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Isaias Guerrero-Maldonado, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien for the purpose of commercial advantage and private financial gain; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii), and Title 18, United States Code, Section 2.

Count 10

On or about May 12, 2008, within the Southern District of California, defendant BENNY LOPEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Isaias Guerrero-Maldonado, had come to, entered and remained in the United States in violation of law, did transport and move said alien within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (v)(II).

Count 11

On or about May 12, 2008, within the Southern District of California, defendant BENNY LOPEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Francisco Soria-Orozco, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien for the purpose of commercial advantage and private financial

1 gain; in violation of Title 8, United States Code,
2 Section 1324(a)(2)(B)(ii), and Title 18, United States Code,
3 Section 2.

Count 12

5 On or about May 12, 2008, within the Southern District of
6 California, defendant BENNY LOPEZ, with the intent to violate the
7 immigration laws of the United States, knowing and in reckless
8 disregard of the fact that an alien, namely, Francisco Soria-Orozco,
9 had come to, entered and remained in the United States in violation
10 of law, did transport and move said alien within the United States
11 in furtherance of such violation of law; in violation of Title 8,
12 United States Code, Sections 1324(a)(1)(A)(iii) and (v)(III).

Count 13

14 On or about May 12, 2008, within the Southern District of
15 California, defendant BENNY LOPEZ, with the intent to violate the
16 immigration laws of the United States, knowing and in reckless
17 disregard of the fact that an alien, namely, Marcos Hernandez-Quiroz,
18 had not received prior official authorization to come to, enter and
19 reside in the United States, did bring to the United States said alien
20 for the purpose of commercial advantage and private financial
21 gain; in violation of Title 8, United States Code,
22 Section 1324(a)(2)(B)(ii), and Title 18, United States Code,
23 Section 2.

Count 14

On or about May 12, 2008, within the Southern District of California, defendant BENNY LOPEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Marcos Hernandez-Quiroz,

1 had come to, entered and remained in the United States in violation
2 of law, did conceal, harbor and shield from detection such alien in
3 a shed located at 875 Bonds Corner Road, Calexico, California; in
4 violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii)
5 and (v)(II).

6 Count 15

7 On or about May 12, 2008, within the Southern District of
8 California, defendant BENNY LOPEZ, with the intent to violate the
9 immigration laws of the United States, knowing and in reckless
10 disregard of the fact that an alien, namely, Pedro Gamboa-Ocana, had
11 not received prior official authorization to come to, enter and reside
12 in the United States, did bring to the United States said alien for
13 the purpose of commercial advantage and private financial gain; in
14 violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii),
15 and Title 18, United States Code, Section 2.

16 Count 16

17 On or about May 12, 2008, within the Southern District of
18 California, defendant BENNY LOPEZ, with the intent to violate the
19 immigration laws of the United States, knowing and in reckless
20 disregard of the fact that an alien, namely, Pedro Gamboa-Ocana, had
21 come to, entered and remained in the United States in violation of
22 law, did conceal, harbor and shield from detection such alien in a
23 shed located at 875 Bonds Corner Road, Calexico, California; in
24 violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii)
25 and (v)(II).

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Count 17

2 On or about May 12, 2008, within the Southern District of
3 California, defendant BENNY LOPEZ, with the intent to violate the
4 immigration laws of the United States, knowing and in reckless
5 disregard of the fact that an alien, namely, Arturo Andrade-Perez, had
6 not received prior official authorization to come to, enter and reside
7 in the United States, did bring to the United States said alien for
8 the purpose of commercial advantage and private financial gain; in
9 violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii),
10 and Title 18, United States Code, Section 2.

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Count 18

12 On or about May 12, 2008, within the Southern District of
13 California, defendant BENNY LOPEZ, with the intent to violate the
14 immigration laws of the United States, knowing and in reckless
15 disregard of the fact that an alien, namely, Arturo Andrade-Perez, had
16 come to, entered and remained in the United States in violation of
17 law, did conceal, harbor and shield from detection such alien in a
18 shed located at 875 Bonds Corner Road, Calexico, California; in
19 violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii)
20 and (v)(II).

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Pretrial Release Allegations

2 It is further alleged that defendant BENNY LOPEZ, committed the
3 offenses alleged in Counts 9-18, while he was on pretrial release for
4 the offenses charged in counts 1-8, and, therefore, is subject to an
5 enhanced penalty of not more than 10 years imprisonment, pursuant to
6 Title 18, United States Code, Section 3147.

DATED: May 28, 2008.

A TRUE BILL:

KAREN P. HEWITT
United States Attorney

By: 
PAUL E. STARITA
Assistant U.S. Attorney

Foreperson